

**MINUTES OF THE COMMITTEE  
ON  
TORT REFORM**

Tuesday, April 25, 2006

9:30 a.m.

Room 519, House Office Building

The House Standing Committee on Tort Reform was called to order by the Chair, Representative Elsenheimer.

Members present: Representatives Elsenheimer, Gaffney, Huizenga, Hune, Adamini, McConico, Bieda.

Members absent/excused: Representative Kahn.

Representative Huizenga moved to approve the minutes of the meeting held on March 21, 2006. Representative Adamini supported the motion. There being no objection the minutes were approved by unanimous consent.

Representative Hune moved to approve the minutes of the meeting held on March 28, 2006. Representative Bieda supported the motion. There being no objection the minutes were approved by unanimous consent.

Chairman Elsenheimer announced that the committee had received a written response from Linda Watters, Insurance Commissioner, to the letter sent by the Chair dated March 15, 2006.

Chairman Elsenheimer laid HB 5851 before the committee:

HB 5851	Gaffney	Torts; personal injury; asbestos and silicosis compensation fairness act; create.
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Representative Ed Gaffney testified before the committee and introduced Dr. Robert Ross, MD, Associate Clinical Professor of Medicine at Baylor University.

Dr. Ross, author of several articles on the asbestos issue, testified in support of the bill. Dr. Ross answered questions for the committee.

Representative Gaffney then introduced Dennis Archer, representing Owens Corning. Mr. Archer, former Michigan Supreme Court Justice and Mayor of the City of Detroit, testified in support of the bill. Mr. Archer also testified in general support of reforms regarding asbestos litigation and answered questions for committee members.

James Bedortha, representing the Michigan Trial Lawyers Association, testified in opposition to HB 5851. Mr. Bedortha answered questions from the committee members.

Jeffrey D. Harrison, representing Harrison Piping Supply Company, testified before the committee in support of HB 5851.

Phil Goldberg, representing the American Legislative Exchange Council, testified in support of HB 5851.

Chairman Elsenheimer announced that the following people submitted testimony cards wishing to speak on HB 5851 but were unable due to time constraints:

Tracy Tomlin, representing Owens Illinois.

Kenneth Rosewman, MD, representing himself, in opposition.

Mark Wisniewski, defense attorney, representing the Kitch, Drutchas, Wagner, DeNardis, Valitutti, and Sherbrook law firm, in opposition.

Chairman Elsenheimer announced that the following people submitted testimony cards on HB 5851 but did not wish to speak:

Barry Cargill, representing the Small Business Association of Michigan, in support.

Elizabeth Lyon, representing the State Bar of Michigan, in opposition to section 3013 of the bill.

Ken Fletcher, representing the AFL-CIO of Michigan, in opposition.

Nadine Nosal, representing the International Union – UAW, in opposition.

Melissa Trustman, representing the Detroit Regional Chamber of Commerce, in support.

Andy Such, representing the Michigan Chemistry Council, in support.

Dawn Crandall, representing the Michigan Association of Home Builders, in support.

Representative Adamini moved to excuse the absence of Representative Kahn. Representative Bieda supported the motion. There being no objection, the motion prevailed by unanimous consent.

There being no further business before the committee, the Chair adjourned the meeting at 11:05 a.m.

**Representative Kevin Elsenheimer, Chair**\_\_\_\_\_

Doug Simon, Committee Clerk

House Tort Reform Committee, (517) 373-0015